

REMARKS

In view of the above amendments and the following remarks, reconsideration and further examination are respectfully requested.

Claims 2, 28, 40, and 41 have been cancelled without prejudice or disclaimer of the subject matter contained therein. Independent claim 1 has been amended to include the subject matter of cancelled claim 2. Independent claim 27 has been amended to include the subject matter of cancelled claim 28. Independent claims 29 and 38 have been amended to include the subject matter of cancelled claim 40.

Claims 1, 2, 4-29, 33, and 38-41 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Moyer (U.S. 2002/0103898) in view of Sen (Internet Draft “draft-sen-midcom-fw-nat-01.txt”). This rejection is believed clearly inapplicable to amended independent claims 1, 27, 29, and 38 and the claims that depend therefrom for the following reasons.

Amended independent claim 1 recites a home terminal apparatus including a packet generation unit, a communication unit, and a protocol determination unit. Further, claim 1 recites that: (1) the communication unit (of the home terminal) sends address notification packet data to a server using a User Datagram Protocol (UDP); (2) the communication receives a notification packet from the server; (3) the packet generation unit (of the home terminal) sends a connection request packet to the server using a Transmission Control Protocol (TCP); and (4) the communication unit (of the home terminal) receives control packet data transmitted from a server using TCP. According to the above-described configuration recited by claim 1, the home terminal apparatus is capable of switching protocols (i.e., switching between TCP and UDP) based on the type of information sent/received. The Moyer and Sen references or any combination thereof, fail to disclose or suggest the above-mentioned features (1)-(4) as recited by independent claim 1.

Rather, Moyer merely teaches sending/receiving requests via UDP, TCP, or SCTP (see paragraphs [0015], [0016], and [0054]). Thus, in view of the above, it is clear that Moyer does not disclose or suggest the home terminal apparatus capable of switching protocols based on the type of information sent/received (i.e., sending address information using UDP, sending

connection request using TCP, and receiving control packet data using TCP), as required by claim 1. In addition, it is noted that Moyer does not require that any specific protocol be used for specific types of data, as required by independent claim 1.

In addition, it is noted that in the above-mentioned 35 U.S.C. § 103(a) rejection, the Examiner relies on Sen for teaching that the communication unit sends the address notification packet periodically and repeatedly at a predetermined sending interval via the router. However, Sen fails to disclose or suggest the above-discussed features of independent claim 1 which are lacking from Moyer. Therefore, because of the above-mentioned distinctions it is believed clear that claim 1 would not be obvious or result from any combination of Moyer and Sen.

Furthermore, there is no disclosure or suggestion in Moyer or Sen or elsewhere in the prior art of record which would have caused a person of ordinary skill in the art to modify Moyer or Sen to obtain the invention of independent claim 1. Accordingly, it is respectfully submitted that independent claim 1 and claims 4-26 and 33 which depend therefrom are clearly allowable over the prior art of record.

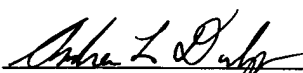
Amended independent claims 27, 29, and 38 recite a system, method, and program, respectively. System, method, and program claims 27, 29, and 38 recite features that correspond to the above-mentioned distinguishing features of independent claim 1 (e.g., sending/receiving using different protocols based on type of information send/received). Thus, for the same reasons discussed above, it is respectfully submitted that independent claims 27, 29, and 38 and claim 39 which depends therefrom are allowable over Moyer and Sen.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance and an early notification thereof is earnestly requested. The Examiner is invited to contact the undersigned by telephone to resolve any remaining issues.

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Respectfully submitted,

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